

1 DAVID Z. CHESNOFF, ESQ  
2 RICHARD A. SCHONFELD, ESQ.  
3 CHESNOFF & SCHONFELD  
4 520 S. 4<sup>th</sup> Street  
5 Las Vegas, Nevada 89101  
6 (702) 384-5563  
7 [dzchesnoff@cslawoffice.net](mailto:dzchesnoff@cslawoffice.net)  
8 [rschonfeld@cslawoffice.net](mailto:rschonfeld@cslawoffice.net)  
9 Attorneys for Defendant  
10 Alexander Smirnov  
11

12 UNITED STATES DISTRICT COURT

13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 ALEXANDER SMIRNOV,

18 Defendant.

No. 2:24-CR-00091-ODW

STIPULATION TO MODIFY BRIEFING  
SCHEDULE

19 Comes Now, Defendant Alexander Smirnov, by and through his counsel  
20 of record David Z. Chesnoff, Esq., and Richard A. Schonfeld, Esq., and  
21 Plaintiff United States of America, by and through its counsel of  
22 record, the Office of Special Counsel David C. Weiss, and hereby  
23 stipulate as follows:

24 1. On April 12, 2024, the Plaintiff and Defendant entered into  
25 a Stipulation that among other things set forth a briefing schedule  
26 related to certain CIPA filings. (Dkt 64).

27 2. In the Stipulation the Defendant's deadline to provide CIPA  
28 Section 5 notice was set for July 29, 2024, or no later than two weeks  
after the Court's ruling on the Government CIPA Section 4 filing  
(whichever is later).

1           3.     The Court entered its ruling on the Government's CIPA Section  
2 4 filing on July 22, 2024, thereby making the Defendant's CIPA Section  
3 5 filing due no later than August 5, 2024.

4           4.     The Defendant's counsel have engaged in the process of  
5 obtaining security clearance, so that the classified information  
6 discovery can be viewed, and are now eligible for interim clearances.

7           5.     Before Defendant's counsel can view the classified discovery,  
8 a protective order issued pursuant to Section 3 of CIPA must be in  
9 place. The parties have not been able to reach an agreement as to all  
10 material terms of a protective order, and the Defendant plans to file  
11 an Opposition to the Government's Motion for Protective Order (Dkt 96).

12           6.     In light of the foregoing, the Defendant's counsel has not  
13 yet been given the opportunity to review the classified discovery, and  
14 therefore is unable to provide CIPA Section 5 notice.

15           7.     For the foregoing reasons, the Plaintiff and the Defendant  
16 stipulate to modify the briefing schedule in Dkt 64 as follows:

17                   i.     Defendant's CIPA Section 5 notice: **Two weeks after**  
18 **the government provides Defendant's counsel access to the classified**  
19 **information discovery;**

20                   ii.    Government's Objections to Defendant's CIPA  
21 Section 5 & government's CIPA Section 6(a) filing: **Three weeks after**  
22 **Defendant's CIPA Section 5 notice.**

23                   iii.   Defendant's Reply in CIPA Section 5 and Response  
24 to government's CIPA Section 6(a): **Two weeks after government's CIPA**  
25 **Section 6 filing.**

1  
2 The remaining briefing schedule in Dkt 64 is not impacted by  
3 this Stipulation.

4 IT IS SO STIPULATED.

5 Dated: August 5, 2024

Respectfully submitted,

6 CHESNOFF & SCHONFELD

DAVID C. WEISS  
Special Counsel

7  
8 /s/ Richard A. Schonfeld  
DAVID Z. CHESNOFF, ESQ.  
9 RICHARD A. SCHONFELD  
520 S. 4<sup>th</sup> Street  
10 Las Vegas, Nevada 89101  
Attorneys for Defendant  
11 Alexander Smirnov

LEO J. WISE  
Principal Senior Assistant Special  
Counsel

DEREK E. HINES  
Senior Assistant Special Counsel

SEAN F. MULRYNE  
Assistant Special Counsel

12  
13 /s/ Christopher M. Rigali  
CHRISTOPHER M. RIGALI  
14 Assistant Special Counsel

15 Attorneys for Plaintiff  
16 UNITED STATES OF AMERICA  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28